

Applicant or Patentee: Richard D. Simon & Richard H. Wilson
Serial No.: _____ Filing Date: _____
Patent No.: _____ Issued: _____
For: GRAVITY FLOW SLUDGE LOAD-OUT SYSTEM

#3
jc841 U.S. PTO
09/642249
08/17/00

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) and 1.27(c))--SMALL BUSINESS CONCERN

I hereby declare that I am
[] the owner of the small business concern identified below:
[X] an official of the small business concern empowered to act
on behalf of the concern identified below:

NAME OF CONCERN: Material Systems Engineers
ADDRESS OF CONCERN: 185 N. Redwood Dr., Suite 130
San Rafael, California 94903

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled GRAVITY FLOW SLUDGE LOAD-OUT SYSTEM by inventor(s) Richard D. Simon and Richard H. Wilson described in:

[X] the application filed herewith
[] application serial no. _____, filed _____.
[] patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME: _____
ADDRESS: _____

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Richard H. Wilson
TITLE OF PERSON OTHER THAN OWNER: Treasurer
ADDRESS OF PERSON SIGNING: 185 N. Redwood Dr., Suite 130
San Rafael, CA 94903

SIGNATURE R. H. Wilson DATE August 15, 2000

Johnson & Stainbrook LLP
Telephone (415) 499-8822

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GRAVITY FLOW SLUDGE LOAD-OUT SYSTEM, the specification of which [X] is attached hereto or [] was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56(a). I claim foreign priority benefits under Title 35, United States Code, section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>DATE OF FILING</u>	<u>PRIORITY CLAIMED UNDER 35 U.S.C. 119</u>
<u>n.a.</u>	_____	_____	_____

I claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>APPL. SERIAL NO.</u>	<u>DATE OF FILING</u>	<u>STATUS</u>
<u>n.a.</u>	_____	[] Patented [] Pending [] Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office therewith:

address: Larry D. Johnson (Registration Number 31,528)
Craig M. Stainbrook (Registration Number 45,126)
175 N. Redwood Drive, Suite 130
San Rafael, CA 94903
telephone: (415) 499-8822

09542249-031700

FULL NAME
OF INVENTOR:

Simon Richard D.
Last Name First Name Middle Name or Initial

RESIDENCE &
CITIZENSHIP:

San Rafael California U.S.A.
City State or Country Country of Citizenship

POST OFFICE
ADDRESS:

185 N. Redwood Dr., #130, San Rafael, CA 94903
Address City State or Country Zip Code

FULL NAME
OF INVENTOR:

Wilson Richard H.
Last Name First Name Middle Name or Initial

RESIDENCE &
CITIZENSHIP:

San Rafael California U.S.A.
City State or Country Country of Citizenship

POST OFFICE
ADDRESS:

185 N. Redwood Dr., #130, San Rafael, CA 94903
Address City State or Country Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

8/15/2000

Richard D. Simon
Richard D. Simon

Date:

August 15, 2000

R. H. Wilson
Richard H. Wilson

Johnson & Stainbrook LLP
Telephone (415) 499-8822

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Applicant or Patentee: Richard D. Simon & Richard H. Wilson
Serial No.: _____ Filing Date: _____
Patent No.: _____ Issued: _____
For: GRAVITY FLOW SLUDGE LOAD-OUT SYSTEM

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(b))--INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled

GRAVITY FLOW SLUDGE LOAD-OUT SYSTEM
described in

- ☒ the application filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: Material Systems Engineers
ADDRESS: 185 N. Redwood Dr., Suite 130
San Rafael, California 94903

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement directed.

NAME OF INVENTOR: Richard D. Simon

Date: 8/15/2000

Richard D. Simon
Signature of Inventor

NAME OF INVENTOR: Richard H. Wilson

Date: August 15, 2000

R. H. Wilson
Signature of Inventor

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